



USAID
FROM THE AMERICAN PEOPLE

ALBANIA

ALBANIAN JUSTICE SECTOR STRENGTHENING PROJECT (JuST)



QUARTERLY REPORT (October – December 2013)

USAID / ALBANIA, DEMOCRACY AND GOVERNANCE OFFICE

CONTRACT NO. 182-C-00-10-00105-00

COR: ELINA KOÇI

January 10, 2014

This publication was produced for review by the United States Agency for International Development. It was prepared by Chemonics International Inc. The author's views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.

Contents

Introduction.....	2
Highlights and Deliverables Completed this Quarter	2
Technical Activities by Project Component	2
Component One – Increased Court Transparency, Fairness, and Efficiency.....	2
More Accurate Trial Records through Digital Audio Recording.....	2
Improved Court Management Leading to More Transparent and Efficient Court Operations including Court Hearings that are More Open to the Public.....	4
Reduced Case Backlogs through Implementation of Mediation.....	4
Improving Public Information Offices of the Courts	4
Challenges Ahead for Component One	5
Component Two – Strengthened Civic Engagement to Help Stem Governmental and Justice Sector Corruption.....	5
Capacity Development for the Union of Albanian Judges.....	5
Justice and Good Governance CSO Grants Program.....	6
Justice Reporting Fellows: Training and Independent Venue for Investigative Journalists	8
JuST Forum Albania	8
Challenges Ahead for Component Two.....	8
Component Three – Strengthened Legal Profession.....	8
Establish a Bar Journal with the National Chamber of Advocates and Publish it Regularly.....	10
Clinical Legal Education Program.....	10
Challenges Ahead for Component Three.....	11

On the cover: Mission Director Jim Barnhart and Chief Judge Entela Shedula inaugurate the new Court Public Service and Information area in the Kavaja District Court.

Introduction

Chemonics International is pleased to present its twelfth quarterly report describing the activities of the Albanian Justice Sector Strengthening Project (JuST). During this quarter, Jonida Dervishi was selected to fill the Component Three Team Leader vacancy. Relationships with the new government continued to develop, ensuring continuity in USAID-supported initiatives in the justice sector.

Highlights and Deliverables Completed this Quarter

- Provided digital audio recording equipment and training to additional courts, bringing the total to 23 courts and 107 courtrooms.
- Convened the third Regional Court Leadership Conference in Tirana.
- Inaugurated the new Public Information Area of the Kavaja District Court.
- Completed an action plan for maintaining and expanding the Continuing Legal Education (CLE) program under the auspices of the new National School of Advocates.
- The Donor Coordination Group, initiated and hosted by JuST, continues to meet quarterly and produce a widely-circulated bulletin, *Connections*, on justice sector projects.

Technical Activities by Project Component

JuST works in three strategic areas. First, working with justice sector institutions, it aims to increase court transparency, fairness, and efficiency – a key requirement for eventual EU accession. Second, working with civil society organizations and the media, it seeks to promote accountability from the “grass roots” level by bolstering their watchdog and anticorruption roles. Third, recognizing the importance of well-trained professionals, it is working to strengthen the legal profession and legal education. The project is part of ongoing U.S. support to the rule of law and good governance in Albania, with an emphasis on improving justice delivery and increasing public demand for accountability in the justice sector. The following describes the specific activities initiated or completed during the first quarter of the fourth year of this five year project.

Component One – Increased Court Transparency, Fairness, and Efficiency

The first component of the Project is focused on court operations through a number of strategies designed to address the lack of transparency and organizational deficiencies which impede the ability of the Albanian judiciary to implement meaningful reform. Intervention results include: a) more accurate trial records; b) more efficiently-run courts that are more open to the public; and c) reduced case backlogs.

JuST is advancing these objectives through direct support to the courts in establishing systems for producing and making available verbatim records of legal proceedings; technical assistance to promote greater use of public courtrooms for the public benefit; better court management practices; and assistance to selected pilot courts to introduce and expand the use of mediation for resolving commercial and family law disputes.

More Accurate Trial Records through Digital Audio Recording

JuST’s most visible and important initiative is implementing digital audio recording capability for the Albanian courts. The JuST team continued installation and training on schedule, completing the process in the Vlora and Saranda District Courts, the Vlora Appellate Court, and the Gjirokaster Appellate Court.

Following established practice, the third Regional Court Leadership Conference was organized for all courts of the Tirana Appellate District over a three day period in November. Over 250 people participated, including almost all of the judges and judicial support personnel. Over the past two years, the level of acceptance has changed considerably, and is best told in the words of the judges themselves. Gjovalin Pernoca, Chief Judge of the Serious Crimes Appellate Court stated:

“I was one of the most skeptical persons regarding the usage of audio recording for documenting the court sessions. I had a lot of questions and doubts, but now I am convinced that it has value. It helps in increasing the transparency, correctness, solemnity and fair implementation of the legal procedures. Meanwhile there have been no problems from its usage.”

Chief Judge Alaudin Malaj of the Tirana Appellate Court added that:

“The new way of documenting the court sessions with audio recording and the new concepts introduced with the changes in the Civil Procedure Code in 2013 should be accompanied by changes in jurisprudence. The same changes should be reflected in the Criminal Procedure Code as well. It is important to establish some standard criteria in writing the Log Notes from the secretary, such as an informative manual regarding ways of handling different situations encountered during audio recording usage. A few times we have encountered differences between what it is written in the Log Notes and what is audio recorded. In at least one case, the audio recording of the session in the First Instance Court has helped the Appellate Court take the right decision on the case.”

Additionally, Judge Gerd Hoxha of the Tirana Criminal Court said:

“The usage of audio recording for documenting the court sessions is in compliance with the provisions of the Criminal Procedure Code. It is very easy to hear the audio recording. The recording turns out to be very important in criminal trials especially during witness testimonies. They can speak now freely without the judge asking them to stop time after time in order to give time to the secretary to write down the testimony.”

And finally, Chief Judge Fatri Islamaj of the Tirana District Court, Albania’s largest court, stated that:

“The audio recording has established an important standard for increasing transparency in court sessions. It helps in the increase of the responsibility and accountability of judges not only regarding the law but also to the parties. The audio recording is a necessity in an environment with problematic perception of the public regarding the work of the judiciary and for all the above mentioned reasons I would like to thank USAID JuST for their support to the judiciary in Albania. I regret the fact that in my court there are not enough courtrooms for all sessions to be audio recorded, however we are doing our best efforts to maximize courtroom usage and the number of audio recorded sessions.”

These opinions, voiced by judicial leaders at the Regional Court Leadership Conference, illustrate the extent of the changes brought about by the introduction of record-making technology.

Improved Court Management Leading to More Transparent and Efficient Court Operations including Court Hearings that are More Open to the Public

Ongoing assistance to trial courts to increase court room utilization and reduce the number of cases heard in judges' offices remains a key JuST activity. As noted in the recent OSCE study, "Towards Justice," most scheduled hearings are postponed or are unproductive. Improved courtroom management practices coupled with better pretrial preparation can dramatically reduce the number of hearings needed to resolve a case, thus alleviating some of the pressure on courtrooms. These themes were stressed during last year's Court Leadership Conference, and are being tested through intensive engagement of OSCE and JuST with one court – the District Court of Kruja – which has expressed willingness to change long-established practices and adopt principles of active case management.

In December, JuST and OSCE organized a weekend retreat for all six judges of the Kruja District Court and the Court Chancellor. The organizers brought in Judge Truman A. Morrison, a senior judge on the D.C. Superior Court, to facilitate the discussions. Going over the baseline data collected from court files in August, the judges focused on practical steps that can be taken to make court hearings productive and efficient. By the end of the retreat, the group had come to consensus around specific, measurable goals, along with the outlines of an action plan. JuST and OSCE will continue this partnership with the Kruja District Court with the intention of showcasing significant progress at the next Court Leadership Conference.

Reduced Case Backlogs through Implementation of Mediation

During the quarter, JuST experienced both successes and challenges in its support for mediation. For the past two years, JuST has provided direct support for mediation through a national NGO, the Albanian Center for Conflict Resolution, which organized court-connected mediation programs in the District Courts of Korçë and Durrës. The services agreement through which this support was provided ended at the close of the previous quarter. The JuST team had hoped to continue services for a limited time through the newly-established National Chamber of Mediators. However, in November a new challenge arose when a group of mediators engineered a "vote of no confidence," ostensibly removing the board of directors and replacing it with a new board. Both boards claimed legitimacy and began trading charges and counter charges. In this unstable organizational environment, the JuST team decided to place the planned support to the Chamber on hold until the issue is resolved. With no approved tariff structure, and with no mechanism in place for compensating mediators for their services, the quarter saw no new cases resolved in the two court-connected mediation programs.

In contrast to the organizational dysfunction in the National Chamber of Mediators, and the refusal of individual mediators to continue providing services in the two initial court-connected programs, the work of the Gjirokaster Multipurpose Community Center operating in Gjirokastra, Saranda and Përmeti provided a bright spot in the field of mediation. During the quarter, 84 new cases were referred for mediation from various sources including the courts, and 72 were resolved.

Improving Public Information Offices of the Courts

Increased access to justice through improved public information is another of JuST's objectives. JuST continues to work successfully with several courts and with the Office of Budget and Judicial Administration to develop public information office models, and the first such example

was constructed during the renovations of the Pogradec District Court. During this quarter, the second example in the Kavaja District Court was inaugurated by USAID Mission Director Jim Barnhart and Chief Judge Entela Shedula. (See photograph on cover page.) The new facility, representing the new standard for Albanian courts, embodies a philosophy of public service delivery where citizens can obtain the services and information they need from the court.

Challenges Ahead for Component One

Potential challenges noted in previous reports, including the possibility that the new Government might not support court audio recording with the same enthusiasm as the previous government, have proven not to be challenges at all. Audio recording is increasingly coming to be viewed as an essential element of good governance, simultaneously addressing judicial accountability, public perception of corruption, and access to justice. As the value of the technology has become embedded into the legal culture of Albania, early resistance has given way to acceptance and support. As 2014 begins, the only real challenge is one of timing and resources, as additional funding from USAID will be necessary to fulfill the objective of installing digital audio recording technology in each and every courtroom in Albania. Delays in obligation authority will almost certainly result in temporary delays in the implementation schedule.

The Component One team continues to focus on its objective of more efficient management of cases through intensive work with a single court – Kruja District Court – which will hopefully serve as a model for others. As the quarter came to a close, changes in judicial personnel posed a potential challenge for work in Kruja. Though not completely unexpected, the downsizing of the Court, and the transfer of the Chief Judge to the Tirana District Court, introduces a question mark on the momentum going forward. Fortunately, these changes occurred after an intensive two-day retreat with all judges, and the interim Chief Judge has pledged continued engagement and personal support for the effort.

Finally, establishing mediation as a viable option for resolving disputes continues to be plagued with setbacks, as mediators cannot even agree on who will direct the new Chamber.

Component Two – Strengthened Civic Engagement to Help Stem Governmental and Justice Sector Corruption

The second component of JuST is designed to increase the organizational capacity of civil society organizations (CSOs), promote stronger and more effective civic participation, increase public awareness of corruption, and bolster the role of media in investigating and reporting corruption cases.

Capacity Development for the Union of Albanian Judges

JuST continues to support the Union of Albanian Judges as part of its strategy of promoting a strong and independent judiciary, and a more active civil society. During the quarter, the Union, with JuST support, organized two roundtables: one in Durres in September and the other in Elbasan in October, on the topic of “*The Evaluation and Inspection System of Judges in Albania: Alignment with International Standards.*” 33 judges from the District Courts of Tirana, Elbasan, Durres, Lushnja, Kavaja, and Kruja, as well as the First Instance and Appellate Serious Crimes Courts, participated in the two roundtables. The participants engaged in lively discussions about the system for evaluating judicial ethics and professionalism, as well as the Regulation governing inspections by the Judicial Inspectorate of the High Council of Justice. Conclusions were reached

and recommendations were summarized in a report made available to all members of the Union, as well as to relevant institutions. Through activities such as these, the Union is becoming a stronger voice for an independent judiciary, which in turn is resulting in a steady increase in membership as judges want to be part of the organization.

Additional support provided to the Union during the quarter included JuST sponsoring the participation of two members of the Union – the Chair and another board member – in the 56th Annual Meeting of the International Association of Judges, held in Yalta, Ukraine this year, from October 5-10. Relevant topics to the Albanian judiciary were addressed during this meeting, including practical ways to promote the independence of judges; the judicial role in safeguarding international human rights; access to justice for *pro se* litigants; civil procedure reform; environmental pollution; and the rights of sick and disabled employees. As one of the newest members of the international organization, the Union has been under a one-year monitoring phase, with a *rapporteur* traveling to Albania to observe the UAJ, completing documentation, and reporting back to the larger group at the annual meeting. The report was favorable, stating that the UAJ had met all the criteria of the IAJ's Constitution and Regulations.

Capacity building assistance to the UAJ continued through JuST's grantee, Partners Albania, Center for Change and Conflict Management. Through the logistical support provided by Partners Albania, the UAJ conducted a second round of regional cluster groups in Shkodra (October 29); Korça (November 8); Vlora (October 31); and Tirana (November 7). These cluster groups bring together local stakeholders including judges, prosecutors, journalists, mediators, CSOs, lawyers, and law students. A series of stakeholder recommendations from these regional meetings was prepared by Partners Albania, and will be used to help improve communication and collaboration with other actors in the court system. After eight months of implementation, the grant activities have been completed, and the UAJ is now in a better position to continue working on public interest issues as they relate to justice reform. A key result of the assistance provided by Partners Albania is the sustainability of continuing these types of regional outreach meetings, since UAJ staff now have the methodology and structures in place to do so independently from outside support.

Justice and Good Governance CSO Grants Program

An important element of USAID assistance to Albania is strengthening civil society as a means of increasing citizen participation and achieving greater transparency and accountability from governmental institutions.

Status of Grants

Under its CSO grant program, JuST continues to evaluate concept notes and grant proposals submitted by CSOs in the areas of good governance and anticorruption and issue new awards to the most qualified applicants. Currently 77% of the total budget available for grants has been committed, and additional proposals are being evaluated.

During the quarter, a follow-on grant was awarded to the *Gjirokastra Community Center* for mediation services in Gjirokastra, Përmeti and Saranda. This grass roots organization has been very effective in raising mediation awareness in the South, and continues to produce excellent results in terms of numbers of cases handled (84) during the quarter. The *Eye of the New Media*, a local organization in Gjirokastra, was awarded a second grant to implement a 14-month project that aims to improve social services through the increase of local capacity building and

stigmatization of corruptive cases in 14 Local Government Units of the Vlora and Fieri regions. In addition, the *Association of Journalists for Justice* was awarded a grant to implement a 12-month project that aims to denounce corruption and expose discrepancies in the way corruption cases are prosecuted.

Three proposals were submitted in response to the RFA for capacity building for the new National Chamber of Mediators (NCM). However, since two separate executive boards claim legitimacy, and both purport to represent the Chamber, JuST has decided to defer awarding any grant until the organizational status is resolved.

The grant implemented by the coalition of three NGOs (*Women to Women* in Shkodra, *Women Forum* in Elbasani, and *Center for Legal Civic Initiatives* in Tirana) operated throughout the quarter, successfully completing all planned activities in December. Under this grant, free legal aid was provided to women and girls in 20 cases from the three target areas – all victims of domestic violence. In addition, the three members of the coalition conducted separate roundtables in Shkodra, Tirana and Elbasani, to present their findings and recommendations based on the monitoring carried out in each of these courts. Stakeholders from the Regional Police Department, Courts, Chamber of Advocates, local and international NGOs, mediators, prosecutors, and domestic violence specialists in the municipalities attended these events.

Gjirokastra Multifunctional Community Center continues to enhance mediation and restorative justice practices by mediating different community-based problems in Gjirokastra, Saranda and Përmeti. Its activity continues to build the confidence of community members on their ability to assess their problems and heighten the skills of lawyers and judges on mediation and restorative justice practices. The judges have referred commercial and domestic cases to the mediation offices to help reduce the court's case load while providing parties with a faster and less costly alternative to regular court hearings. As noted above, during the quarter 84 cases were referred to the three mediation offices from various sources, including judges, police and probation officers. Of these, 72 were resolved.

Eye of the New Media: In an eight month period this grantee investigated a number of corruption issues in the field of social services. The main topics treated in their investigative stories have focused on corruption and abuse by municipal employees or communal councils responsible for administering assistance to needy individuals, including orphans, blind or mentally ill persons. In addition, the project documented the almost-complete exclusion of Roma people from social welfare eligibility. In the 26 investigative articles published on the SHGD website, more than 20 instances of abuse by these services was made public. Thirty one (31) community members denounced different abuses and shared their personal experiences on issues related to lack of transparency, corruption, and dereliction of duty by local officials.

Journalists presented facts and official documents to expose cases of abuse of office in at least five institutions supporting social services. As a result of a long and thorough investigation, the journalists have proved abuses, corruption and illegal acts by 18 officials in local governing units, as well as wrong-doing by a related NGO. As a result of the reporting, eight needy people were added to the list of beneficiaries eligible for economic aid and disability payments.

At least seven articles calling for investigations against local officials were published. The State Social Service in Gjirokastra has responded in at least five cases by giving written warnings to its employees, while the Gjirokastra Prefect re-opened several council decisions on social aid based on the violations exposed by the project. Project findings have been broadcast on television and presented at the closing conference, where a high ranking representative of the Ministry of Social

Welfare was present. As a result of these disclosures, lists of social welfare beneficiaries have been updated, removing 150 beneficiaries who were improperly listed. Beneficiary lists are now made public, adding an important element of transparency.

In addition, through a series of informative meetings, JuST raised awareness of citizens' rights for 135 beneficiaries of social aid in the most problematic local government units in the Gjirokastra region. As a result, for the first time there has been active participation by citizens in local council meetings, where they demanded to make the list of beneficiaries public. Ninety administrators and counselors were trained on the law of social aid, with a special emphasis on its calculation and distribution to allow for fair decision-making based on the law.

Justice Reporting Fellows: Training and Independent Venue for Investigative Journalists

During this quarter, 43 articles were published in the investigative website www.investigim.al, including 30 blog reports and 13 investigative articles.

During this quarter, the Association of Journalists for Justice made a significant development. It successfully concluded the project funded by "Assist Impact." According to the website www.alexa.com, internationally known for ranking web pages, there has been a significant improvement in the Albanian and world ranking of the www.investigim.al, after the increase in blogs and investigative articles published on the webpage. For example, many important daily newspapers have published several articles referring to the www.investigim.al as a source site.

In November 2013, two representatives of the Association participated in the Annual Conference of OCCRP (Organized Crime and Corruption Reporting Project) held in Istanbul, Turkey at which they made a short presentation on the current achievements and future goals of the Journalists' Association. The OCCRP invited the Albanian Association to become a member of the OCCRP's regional network. The most important result of this Conference was the meeting with Mr. Hans Staiger, Program Consultant of the International Center for Journalists (ICFJ), which was followed by another meeting in Tirana with all the members of the Association, which generated a range of ideas for national and regional collaboration in the future.

JuST Forum Albania

The forum continues to be the primary means to communicate information on the grants program. The total number of viewers on JustForumAlbania for the quarter was 1,953.

Challenges Ahead for Component Two

From the grant proposals received to date, it appears that the CSOs are still reluctant to present proposals with strong anti-corruption features, and are not quite capable of designing effective watch-dog campaigns that could lead to tangible results. On the other hand, they still need to strengthen their project proposal writing capacities. Under these circumstances, the JuST staff in the future will be focused more on building their capacities on the watchdog activities.

Component Three – Strengthened Legal Profession

The third component of JuST is designed to contribute to enhancing the legal competence and professionalism among practicing lawyers and the practical skills among law graduates in the country by working closely with chambers of advocates and legal education institutions to bolster their performance and improve their educational and training curricula. To achieve this goal, the component works closely with the National Chamber of Advocates (NCA) to introduce a sustainable continuous legal education program for lawyers, as well as the University of Tirana,

Faculty of Law (UTFL) to establish a clinical legal education program intended to introduce a practical skills dimension to legal education.

Develop and implement Continued Legal Education (CLE) program

From the beginning of the project, JuST has focused on establishing an NCA-owned and operated continuous legal education program (CLE) as a means to address and eradicate the perceived lack of competence and professionalism among practicing lawyers, partially by making the NCA a more dynamic institution. During the first three years of the project, considerable effort was devoted to assisting the National Chamber of Advocates to establish a CLE program initially in the regional chambers of Durrës and Vlora, and then in a third chamber – the chamber of Fier. On a parallel track, JuST worked with the NCA leadership to introduce legal amendments to the Law on the Legal Profession making CLE mandatory for all lawyers and assistant lawyers. The amendments, passed by the Parliament in 2012, also provide for the establishment of a National School of Advocates (NSA) to be operational within one year for initial training (for assistant lawyers) and CLE training (for lawyers). Upon expiration of the transitional period determined by law, the NCA leadership began implementation by establishing the NSA, hiring an Executive Director, renting classrooms in Tirana, engaging a cadre of law professors and launching initial trainings to 250 registered assistant lawyers from around Albania aspiring to take the next Bar Exam.

While the second year of CLE in three regional chambers continued during this reporting period, NCA has taken some additional steps to set up the NSA and begin operations within the terms of the law. Following a planned summer break, CLE classes resumed in October. The second year of the CLE program is now on track with the full course of 12 topics (credits) concluded in the Fier chamber in November and with courses taking place in the Durrës and Vlora chambers. With an increasing number of participants since the second year of CLE courses were first rolled out in March, attendance rates in the second year CLE program indicate sustained interest by practicing lawyers and assistant lawyers. The final figures for the Fier chamber where the program has already concluded reveal that there were 150 participants from this single chamber. Courses will continue in the Vlora and Durrës chambers until February 2014. The second year CLE program foresees the provision of a total of 112 training sessions with the target of reaching 500 lawyers and assistants in the three chambers.

Following a meeting with the newly established Scientific Board of the NSA, organized by JuST and NCA, JuST continued to assist the NCA with the preparation of an Action Plan addressing the future of the CLE Program, which by law is supposed to be carried out in the future through the NSA. With the objective of assisting the NCA and NSA with the preparation of an Action Plan for a nationwide mandatory CLE Program for Lawyers and Assistant Lawyers in mind, JuST hired a consultant who, through participatory techniques ensuring buy-in from the counterparts, together with the NCA/NSA, prepared an Action Plan outlining the vision for the CLE program and setting forth specific steps, activities, milestones, timeframes, and resources to implement the CLE program through the NSA. Also included in the plan were steps related to the organizational development of the NSA.

The Action Plan includes as main strategic objectives: 1) the consolidation of the NSA as a national academic institution capable of providing trainings to assistant lawyers and lawyers; 2) the establishment and organization of the initial training for assistant lawyers through the NSA; 3) the establishment and organization of the continuous training for practicing lawyers through the NSA building upon the experience with the pilot CLE program implemented with JuST assistance; 4) the consolidation of the status of the NSA as a public entity; and 5) making the

NSA a professional and academic institution capable of preparing academic and professional publications and studies. Each strategic objective includes specific activities and milestones that need to be achieved within determined deadlines, and that will result in enhanced capabilities of the NCA and NSA to provide for nationwide CLE in the future.

Going forward, JuST will continue to support the second year of the CLE program until February 2014 and will support NCA, as needed, with the implementation of the Action Plan that will help pave the way to a mandatory nationwide CLE Program.

Establish a Bar Journal with the National Chamber of Advocates and Publish it Regularly

USAID support to the National Chamber of Advocates includes assistance for establishing a Bar Journal as part of the effort to raise the professional standards and instill a sense of pride among practicing attorneys. The journal aims at fostering professional debate among the Albanian legal profession focusing especially on engaging practicing attorneys in legal research and writing.

Set up as a quarterly publication of the NCA, *Avokatia* is now well on its way to becoming a respected legal periodical. During this quarter the eighth issue of the journal was published and distributed and work is underway for the preparation of the ninth issue, demonstrating a sustained capacity by the NCA to ensure a periodical publication going forward. While the JuST Project assisted the NCA with different cost elements for the first six issues of the Journal, with the publication of the seventh and the eighth issues of the Journal in July 2013 and October 2013, respectively, the Journal is now financially self-sustainable. During this quarter the results of the poll on the quality of the publication conducted by JuST were shared with the Academic Board of the Journal and the NCA leadership and a summary of the report was published in the eighth issue of the Journal. As the findings from surveying lawyers in different regions of Albania indicate, *Avokatia* now enjoys a high reputation among lawyers who think that, through the useful legal information provided and the good coverage of different legal areas, the publication is very helpful in updating their professional knowledge and encouraging professional debate.

However, it is now a shared conviction that obtaining the status of “Academic Publication” would contribute more to the professional growth and future sustainability of the Bar Journal.

Committed to support the NCA efforts to receive approval of the academic status for the journal from the Ministry of Education, JuST prepared a support letter for the Journal which was submitted to the Ministry along with a formal application from the NCA, in November. With a new Government and Education Minister, we hope that a way out of the deadlock with the issuing of “academic status” to publications will be found and the Bar Journal will ultimately obtain it.

Clinical Legal Education Program

To address the overly-theoretical focus and rote learning legacy that the Albanian legal education has inherited, the USAID-funded JuST project is assisting the University of Tirana, Law Faculty (UTLF) to set up a clinical legal education program. The goal of this program is to assist students in developing critical legal thinking and practice skills and engage them directly under proper supervision in providing legal services to disadvantaged clients.

During this quarter, refurbishment of a legal clinic laboratory, reception area and mock court room was completed. Computers were installed and network setup works were done. Pursuant to a contract concluded with JuST, Abcom, a local internet provider, installed a wireless internet connection in the Legal Clinic premises. The refurbished premises are expected to provide

additional impetus to launching a full-fledged annual legal clinic educational program. In the meantime, JuST worked with the design of the awareness and public information materials for the Clinic. Following the adoption of rules and regulations for the operation of the Legal Clinic, JuST provided assistance in completing the necessary administrative materials, including a client-questionnaire that will be used by the Clinic in providing live-client assistance.

During this quarter, two legal clinic professors, specifically under the Public Law and Criminal Law departments, attended a European Legal Clinic Professors Conference held in Poland, and became members of the European Legal Clinics Committee. Since one of the focal points for sustainability of the program rests with the creation of a cadre of professors who embrace and embody the new philosophy to legal education that the clinic introduces, participation of the UTLF professors in such activities and sharing experiences with their European homologues will contribute to the future success of the UTLF Legal Clinic. However, for the first semester of this academic year the number of students who selected the Legal Clinic course is not as high as expected. While, as per curricula, the Public Law Department will have courses only in the second semester, the Criminal Law and Civil Law departments, based on recent amendments to the curricula were expected to deliver legal clinic courses in both semesters. With the legal clinic being an elective subject, the students seemed to prefer only the Criminal Law department for this semester. The UTLF has entered in a Memorandum of Understanding with a local NGO focused on providing legal aid to indigents, which is expected to provide an appropriate temporary mechanism for serving a dual purpose of providing the current students with practical work experience while also introducing live clients to the Clinic.

JuST will continue to work closely with the UTLF and Legal Clinic Board to ensure that the future steps needed in terms of management and administration of the Legal Clinic are taken, as well as that measures are adopted to lead to proper mechanisms of case referrals by legal aid institutions/stakeholders.

Challenges Ahead for Component Three

Implementing a nationally available continuing legal education program for lawyers as mandated by the legal provisions currently in force and the terms of the MoU between USAID and the NCA by the third year of the partnership remains a challenge. Notwithstanding positive signs, such as the initial steps towards the establishment of the School, the initiation of trainings, and the adoption of the Action Plan for the future of CLE, the NCA and NSA remain understaffed and continue to have limited institutional capacities required to mainstream the CLE program nationwide. It remains to be seen whether the NCA will be able to achieve the milestones outlined in the Action Plan.

The refurbishment of the UTFL legal clinic spaces provide an opportunity to move forward with addressing some inherent challenges with establishing a viable legal clinic program. The main challenge at the moment remains the existence of cases while the legal clinic is new and not yet known by the public, on the one hand, and the management and organizational capabilities of the legal clinic professors and legal clinic board once there will be some case-flow on the other. The sustainability of the program rests on the establishment of solid case-referral mechanisms from other public or private legal aid providers, and the creation of a cadre of professors who embrace the philosophy of practical legal education and are committed to devote extra efforts. To achieve this goal, a number of challenges need to be overcome including ensuring that professors are appropriately motivated to make a long-term professional investment to the clinic.

Quarterly Accrual Worksheet

Partner/Vendor: Chemonics International As of: Q1/2014
 Contact: Mitch Gruner / Nitara Layton
 Phone: 202-955-7488 / 202-550-6563
 Fax: 202-955-7540

Contract/Agreement No. **182-C00-10-00105-00**

Project/Activity Name **Albanian Justice Sector Strengthening Project**

Agreement Start Date: 10/1/2010
 Agreement End Date: 9/30/2015

Agreement Ceiling:	\$	9,012,613.00	
Obligated Amount:	\$	6,166,090.00	(per Phoenix)
Ceiling Remaining:	\$	2,846,523.00	Formula (=C17-C18)

Total Disbursed/Vouchered:	\$	5,740,316.03	(per Phoenix)
----------------------------	----	--------------	---------------

Last Payment Amount:	\$151,041.83	(per Phoenix)
For the Period:	Nov-13	

Unliquidated Balance:	\$	425,773.97	Formula (=C18-C21)
-----------------------	----	------------	--------------------

Last Invoice, not yet disbursed:

Invoice No.	N/A
For the Period:	N/A

Calculation:	October	\$	151,041.83	(Inv. No.: 059797)
	November	\$	116,791.68	(Inv. No.: 059930)
	December	\$	131,277.90	(estimate)
	Total	\$	399,111.41	(estimate for Oct - Dec 2013)

Accrual amount:	\$	399,111.41	Formula (=C34)
------------------------	-----------	-------------------	----------------

(the value of goods and services provided to USAID, not yet paid for)

Est. Pipeline Amount:	\$	177,704	Obligated amount less disbursed amount, less accrual amount. Formula (=C18-C21- C36)
Notes/Comments:			